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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
Five Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

SHARON LYNN MITCHELL
3034 THE OAKS
DESTIN, FL 32550

20050328000140490 1/2 $86.00
Shelby Cnty Judge of Probate, AL
03/28/2005 04:06:54PM FILED/CERT

STATE OF ALABAMA)
COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

Know All Men by These Presents: That in consideration of THREE HUNDRED TWENTY ONE THOUSAND FIVE HUNDRED DOLLARS and 00/100 ($321,500.00) DOLLARS to the undersigned grantor, HPH PROPERTIES, LLC, in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto SHARON LYNN MITCHELL, (herein referred to as GRANTEE, the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 138 ACCORDING TO THE FINAL PLAT OF ARBOR HILL PHASE II AS RECORDED IN MAP BOOK 33, PAGE 23 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2004 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2005.

2. EASEMENT(S), BUILDING LINE(S) AND RESTRICTION(S) AS SHOWN ON RECORDED MAP.

3. ASSIGNMENT OF DEVELOPERS RIGHTS AS RECORDED IN INSTRUMENT NO. 2002-30821.

4. 30-FOOT EASEMENT ON NORTHERN SIDE OF LOT AS SHOWN ON RECORDED MAP AND AS SHOWN ON SURVEY OF JAMES F. BREIGHNER, JR. LAST REVISED DECEMBER 19, 2001.

5. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN REAL 65, PAGE 1 AND DEED BOOK 332, PAGE 554.

6. AGREEMENT WITH ALABAMA POWER COMPANY AS TO UNDERGROUND CABLE AS RECORDED IN REAL 69, PAGE 445, AND COVENANTS PERTAINING THERETO AS RECORDED IN REAL 69, PAGE 458.

7. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS PRIVILEGES AND IMMUNITIES RELATING THERETO INCLUDING RIGHTS SET OUT IN DEED BOOK 121, PAGE 294; DEED BOOK 127, PAGE 140; DEED BOOK 9, PAGE 302; DEED BOOK 255, PAGE 168; DEED BOOK 6, PAGE 16; AND DEED BOOK 111, PAGE 625.

8. TRANSMISSION LINE PERMITS TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 136, PAGE 34; DEED BOOK 151, PAGE 449; DEED BOOK 136, PAGE 28 AND DEED BOOK 108, PAGE 363.

9. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN DEED BOOK 332, PAGE 554.

10. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS PRIVILEGES AND IMMUNITIES RELATING THERETO INCLUDING RELEASE OF DAMAGES INCLUDING RIGHTS SET OUT IN DEED BOOK 121, PAGE 294; DEED BOOK 127, PAGE 140; DEED BOOK 9, PAGE 302; DEED BOOK 255, PAGE 188; DEED BOOK 6, PAGE 16; DEED BOOK 111, PAGE 625 AND DEED BOOK 268, PAGE 344.

11. RESTRICTIONS AND COVENANTS APPEARING OF RECORD IN INST. NO. 2003-59578.

12. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN INST NO. 2004-12713.

$249,900.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD unto the said GRANTEE her/his heirs and assigns, forever.

IN WITNESS WHEREOF, the said DAVID BONAMY, JR. AS CLOSING MANAGER OF HPH PROPERTIES, LLC, has hereunto subscribed her name on this the 15th day of March, 2005.

HPH PROPERTIES, LLC

David Bonamy

DAVID BONAMY, JR., CLOSING MANAGER

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that DAVID BONAMY, JR., whose name as CLOSING MANAGER of HPH PROPERTIES, LLC, an Alabama Limited Liability Company, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 15th day of March, 2005.

Notary Public

My commission expires: 12/20/08

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Shelby County, AL 03/28/2005
State of Alabama

Deed Tax:$72.00